

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-CR-247

ROBERT J. SOLBERG,

Defendant.

ORDER GRANTING MOTION TO APPEAL *IN FORMA PAUPERIS*

Defendant Robert J. Solberg entered a plea of guilty to making false statements to the United States, contrary to 18 U.S.C. §§ 1001(a)(2) and 3147 and was sentenced to 18 months in prison. Judgment was entered on October 18, 2023. Solberg's privately retained attorney, Christopher Froelich, filed a notice of appeal on October 27, 2023, Dkt. No. 27, and paid the \$505.00 appellate filing fee. On December 4, 2023, Attorney Froelich filed a Motion to Withdraw, and on December 6, 2023 Solberg filed a pro se motion to delay his report date. Dkt. Nos. 32-33. The court held a hearing on December 11, 2023 at which both Mr. Froelich and Mr. Solberg appeared. Dkt. No. 37. The court denied Attorney Froelich's motion to withdraw, citing Circuit Rule 51(a), and advised that his motion must be filed with the Court of Appeals. Also denied was Solberg's motion to delay or stay his report date. On December 12, 2023, Solberg filed a second Notice of Appeal pro se regarding this court's denial of his motion to delay or stay his report date. Dkt. No. 38. He did not pay a filing fee. On February 2, 2024 and again on February 5, 2024, Solberg filed separate motions seeking to reduce his sentence pursuant to Amendment 821, Dkt. Nos. 47-48, which this court denied on February 15, 2024 for lack of jurisdiction. Dkt. No. 51.

Solberg filed a third appeal pro se, Dkt. No. 53, as to the denial of a sentence reduction, again without payment of the filing fee. The Court of Appeals sanctioned Attorney Froelich on February 12, 2024 and granted counsel's motion to withdraw. Dkt. No. 49. On February 14, 2024, the Court of Appeals appointed new counsel for Solberg for the limited purpose of seeking *in forma pauperis* status on his behalf with the district court. It is that motion, filed March 4, 2024, now before this court.

The financial information provided by Solberg throughout this case has been varied. *See* Dkt. Nos. 2, 22, 63. The current motion cites no income, less than \$100.00 in a checking account, and either a 2001 or 2011 Ford F150 (the year is overwritten) valued at \$7,500. No prison trust account was provided. Inexplicably Solberg, currently in a Federal Prison Camp in Duluth, Minnesota, also lists expenses of \$2,375.00 per month, including food, clothing, dry cleaning, transportation, and recreation expenses. However, based on the signed motion to appeal *in forma pauperis* before me stating he has no income, the motion will be granted. I conclude that Solberg remains indigent and his motion to appeal *in forma pauperis* is **GRANTED**. The Clerk is directed to provide a copy of this Order to the Court of Appeals.

SO ORDERED this 6th day of March, 2024.

s/ William C. Griesbach

William C. Griesbach
United States District Judge